

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL DESHAWN OLIVER,

Case No. 2:22-cv-00739-GMN-NJK

Petitioner,

v.

ORDER

CLARK COUNTY DETENTION CENTER,
et al.,

Respondents.

Petitioner Michael DeShawn Oliver has submitted a *pro se* habeas corpus petition pursuant to 28 U.S.C. § 2241 (ECF No. 1-1). This habeas matter is before the Court on Oliver's Motion/Application for Leave to Proceed *in forma pauperis* ("IFP") (ECF No. 6).

On June 6, 2022, the Court instructed Oliver to either pay the \$5 filing fee or submit a complete IFP application with all required documentation. ECF No. 4. On June 21, 2022, Oliver filed an incomplete IFP Application. ECF No. 6. The Court may authorize an indigent prisoner to begin a habeas action without paying the \$5 fee if he or she submits an IFP application on the approved form and includes three specific documents: (a) the prisoner's financial declaration and acknowledgement showing an inability to prepay fees and costs, (b) a financial certificate signed by the prisoner and an authorized prison official, and (c) a copy of the prisoner's account statement for the six-month period prior to filing. 28 U.S.C. § 1915(a); LSR 1-1, LSR 1-2. Oliver did not submit a copy of his prisoner's account statement for the six-month period prior to filing.

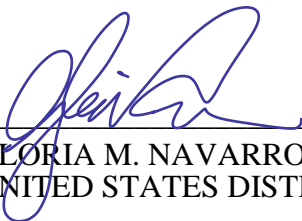
Nonetheless, Oliver's financial certificate shows that he is able to pay the \$5 filing fee. ECF No. 6 at 4. Thus, Oliver does not qualify for a fee waiver. The Court therefore denies the IFP application and gives Oliver 45 days to pay the \$5 filing fee.

IT IS THEREFORE ORDERED:

1. Petitioner Michael DeShawn Oliver's Motion/Application for Leave to Proceed *in forma pauperis* (ECF No. 6) is DENIED.
2. Within 45 days of the date of this order, Oliver must pay the \$5 filing fee.

3. If Oliver fails to comply with this order by the deadline, this case will be dismissed without prejudice and without further advance notice.
4. The Clerk of Court is instructed to send Oliver *two* copies of this order. Oliver must make the necessary arrangements to have a copy of this order attached to the check for the filing fee.
5. The initial screening of Oliver's petition under the Rules Governing Section 2254 Cases in the United States District Courts is deferred to until such time as he has fully complied with this order.

DATED: July 24, 2022



GLORIA M. NAVARRO
UNITED STATES DISTRICT JUDGE